



WASHOE COUNTY

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CM/ACM KS
Finance LC
DA JG
Risk Mgt N/A
HR N/A
Other KS

STAFF REPORT BOARD MEETING DATE: November 10, 2015

DATE: October 21, 2015

TO: Board of County Commissioners

FROM: Robert Smith, Animal Services Manager
Phone: 353-8945; email: rasmith@washoecounty.us

THROUGH: Shyanne Schull, Director of Animal Services

SUBJECT: Introduction and first reading of an ordinance amending Washoe County Code Chapter 55 by creating provisions regulating commercial animal establishments (through an animal welfare permit); by adding related definitions; and by making changes to the definition of "County" and all other matters properly relating thereto; and, if supported, set the public hearing for second reading and possible adoption of the ordinance on December 8, 2015. (All Commission Districts).

SUMMARY

The Washoe County Commission will introduce and hold the first reading of an ordinance amending Washoe County Code Chapter 55 by creating provisions relating to commercial animal establishments (through an animal welfare permit).

Washoe County Code Chapter 55 was rewritten to create a unified animal control ordinance which was adopted on June 14, 2005 in accordance with the Interlocal Agreement entered into by the Cities of Reno and Sparks and the County of Washoe to effectuate the consolidation of animal services in the County. In accordance with that Interlocal Agreement and the consolidated ordinances, animal services have been provided on a regional basis now in excess of nine years. It is based on this experience, revision to State Statutes and public input during this time that these amendments to Chapter 55 are being proposed.

- NRS 244.189 provides that the board of county commissioners may exercise such powers and may enact such ordinances not in conflict with Nevada statutes for, inter alia, the control and protection of animals.
- NRS 244.359 provides that the board of county commissioners may enact and enforce ordinances fixing, imposing and collecting an annual license fee on dogs and providing for the capture and disposal of all dogs on which the license fee is not paid; regulating or

AGENDA ITEM # 16

prohibiting the running at large and disposal of all kinds of animals; establishing a pound, appointing a pound keeper and prescribing his duties; prohibiting cruelty to animals; and designating an animal as inherently dangerous and requiring the owner of such an animal to obtain a policy of liability insurance for the animal in an amount determined by the board of county commissioners. Any such ordinances may apply throughout the entire county or govern only a limited area within the county.

- The Washoe County Board of Commissioners and the City Councils of the City of Reno and City of Sparks consolidated animal control functions in Washoe County to be on a regional basis. The consolidation of animal control services was accomplished by the adoption of ordinances of the three jurisdictions approving an Interlocal Agreement among the cities of Reno and Sparks and Washoe County which regionalized all field services, including, but not limited to, licensing, enforcement, rabies control, kennel permitting and related administrative functions relating thereto under the jurisdiction and control of Washoe County. The final step in the consolidation process occurred on June 14, 2005 when the Washoe County Board of Commissioners adopted the ordinance which amended Washoe County Code Chapter 55 in compliance with the Interlocal Agreement for the consolidation of animal services. Since that date, animal services within Washoe County has been operated and provided on a regional basis. We now have over nine years of regional operational experience.
- It is the intention of this Ordinance to repeal, enact and revise sections to Washoe County Code Chapter 55 based upon that experience and public input.

County priority/goals: Safe, secure and healthy communities; Public participation and open, transparent communication.

PREVIOUS ACTION

On April 22, 2014 the Washoe County Commission approved the establishment of Washoe County Regional Animal Services as a stand-alone department.

On June 17, 2014 the Washoe County Commission authorized initiation of proceedings to amend Washoe County Code (Chapters 5 and 55) related to the creation of the Department of Regional Animal Services.

On July 22, 2014 the Washoe County Commission received an update on the public input process regarding Washoe County Code Chapter.

BACKGROUND

The proposed code was co-written by Regional Animal Services and the City of Reno Code Enforcement in response for the need to provide oversight and enforcement within commercial animal establishments in Washoe County, the City of Reno and the City of Sparks and to create an animal welfare permit process, therefore requiring Washoe County to amend Washoe County Code Chapter 55.

The County Managers Office and Washoe County Regional Animal Services (WCRAS) initially met with OnStrategy to plan the public input process for the proposed code amendments. A first step in the public input process was to share proposed revisions with key stakeholder groups including the Cities of Reno and Sparks and major animal groups in our community to include but not limited to the SPCA, NHS and Pet Network. Through individual meetings with staff input was received from these groups regarding the proposed code amendments.

An online comment process “Open Washoe” was utilized from July 7, 2014 to August 18, 2014 to establish priorities for ordinance workshops, to raise awareness of the code issues and obtain a broad range of input on topics important to the public. The unique feature of this community engagement tool is to allow visitors to the site the ability to read all the comments posted by their fellow citizens, as well as the ability to agree or disagree.

During the public input process there were numerous media releases and targeted email notifications encouraging the public to give input on the amendments as well as several news stories, print articles and radio shows discussing the changes and encouraging public input, which resulted in additional input being received via phone calls and emails.

This process was implemented to raise awareness of the community issues and to ensure the widest range of public input. The unique feature of this community engagement tool is to allow visitors to the site the ability to read all the comments posted by their fellow citizens, as well as the ability to agree or disagree.

At key points during the public input process, new questions regarding the code revisions were posted and the proposed code amendments were edited based upon public input and these changes were then posted on “Open Washoe” for citizens to review.

Additionally, links to “Open Washoe” were added to the Animal Services web page and an email account animalcode@washoecounty.us was created for the public to communicate their comments and concerns specific to proposed Code changes.

As stated previously, a workshop was held at the Wilbur D May Museum on August 27, 2014 to discuss Commercial Animal Establishments (retail sales), promoting an opportunity for the public to ask questions and give input on the proposed amendments. During this workshop, staff had an opportunity to meet one-on-one with many citizens and address concerns as well as receive valuable input. 40 citizens spoke at the public workshop on Commercial Animal Establishments (retail sales), in addition to public comments through “Open Washoe. A summary of the public input received online and through the workshops is attached along with the specific detailed correspondence provided from all public input.

FISCAL IMPACT

None

RECOMMENDATION

It is recommended that the Board of County Commissioners introduce and conduct a first reading of an ordinance amending Washoe County Code Chapter 55 by creating provisions regulating commercial animal establishments (through an animal welfare permit); by adding related definitions; and by making changes to the definition of “County” and all other matters properly relating thereto; and, if supported, set the public hearing for second reading and possible adoption of the ordinance on December 8, 2015 at 3:00 p.m.

POSSIBLE MOTION

Should the Board approve, a possible motion would be: Move to “introduce on behalf of the Board of County Commissioners a first reading of an ordinance amending Washoe County Code Chapter 55 by creating provisions regulating commercial animal establishments (through an animal welfare permit); by adding related definitions; and by making changes to the definition of “County” and all other matters properly relating thereto; and, if supported, set the public hearing for second reading and possible adoption of the ordinance on December 8, 2015 at 3:00 p.m.”

SUMMARY: An ordinance amending Washoe County Code Chapter 55 by creating provisions regulating commercial animal establishments (through an animal welfare permit) and revising definitions.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY CREATING PROVISIONS REGULATING COMMERCIAL ANIMAL ESTABLISHMENTS (THROUGH AN ANIMAL WELFARE PERMIT); BY ADDING RELATED DEFINITIONS; AND BY MAKING CHANGES TO THE DEFINITION OF "COUNTY".

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Chapter 55 of the Washoe County Code is hereby amended by adding thereto the following new section which shall read as follows:

55.455 Commercial animal welfare permit.

1. Commercial animal establishments must obtain a welfare permit from regional animal services.

(a) No commercial animal welfare permit may be transferred or assigned between persons, between commercial animal establishments, or between a person and a commercial animal establishment.

(b) A commercial animal establishment must maintain a welfare permit for each individual location.

(c) Upon a commercial animal establishment's change of ownership or location, a new inspection and welfare permit is required.

(d) Each commercial animal establishment shall be subject to unscheduled inspection by an animal control officer during normal business hours.

(e) The commercial animal welfare permit must be displayed in a conspicuous place within the commercial animal establishment.

(f) No commercial animal establishment may sell a dog or cat over the age of 3 months without a valid rabies vaccination.

(g) Veterinarians and/or veterinary hospitals are exempt from this provision.

2. All commercial animal establishments shall submit an application for a commercial animal welfare permit with regional animal services.

3. Regional animal services must review the application and certify that the commercial animal establishment has been

inspected and is in compliance with all animal welfare permit requirements. Regional animal services shall notify the appropriate jurisdiction(s) of Washoe County, the City of Reno and/or the City of Sparks of the welfare permit status.

4. During annual inspections, an animal control officer must verify that the commercial animal establishment holds a valid business license. A certificate of occupancy for the appropriate jurisdiction or an approved business license may be accepted as evidence that the commercial animal establishment is in compliance with the local jurisdiction's licensing requirements.

(a) Regional animal services shall create an internal animal welfare permit application process with rules and records retention requirements, including, but not limited to, proof of insurance, health records, and any other conditions necessary to preserve the health and safety of the animals and the public.

(b) Records shall be maintained at the commercial animal establishment for a minimum of two years after the date of sale, transfer or other disposition of the dog or cat identified by the record, and shall be readily available for inspection by any animal control officer.

(c) Except as otherwise provided, a commercial animal establishment shall be inspected and the welfare permit renewed annually by regional animal services.

5. In addition to the requirements set forth in NRS 574.360 through 574.510, inclusive, which outline the duties of operators, an operator of a commercial animal establishment shall:

(a) Ensure that the walls and floors of enclosures are constructed of nonabsorbent, nonporous material impervious to moisture, and are adequate to support the animal without sagging and to prevent injury.

(b) Ensure that all dogs and cats are kept in an isolation room or isolation area for a minimum of 120 hours before being released to a purchaser. The permittee or their representative shall observe each animal daily in order to identify general symptoms of injury, illness or disease.

(c) Ensure that any dog or cat that exhibits symptoms of injury, illness or disease is kept in an isolation room or isolation area and treated by a veterinarian. The veterinarian shall verify that the dog or cat is healthy before such dog or cat can be offered for sale.

(d) Establish and maintain a written Program of Veterinary Care (PVC). The attending veterinarian must visit the facility on a regular basis, i.e., often enough to provide adequate oversight of the facility's care and use of animals. The PVC must include method(s) of euthanasia, which should be consistent with the current American Veterinary Medical Association (AVMA)

Guidelines on Euthanasia.

(e) Provide a hand sanitizer and require members of the public to sanitize their hands prior to and after handling any animals in order to reduce the risks of transmission of disease.

(f) Dispose of animal carcasses in accordance with NRS 571.200 and NAC 571.200.

6. Revocation of commercial animal welfare permit. If a permittee violates this section or any other law of the State of Nevada or ordinance of Washoe County pertaining to animal welfare, regional animal services may revoke the commercial animal welfare permit.

(a) Any commercial animal establishment residing within the boundaries of the City of Reno shall maintain a City of Reno business license. If, at any time, the City suspends or revokes the business license, the City shall notify regional animal services and the commercial animal welfare permit shall be suspended or revoked.

(b) Any commercial animal establishment residing within the boundaries of the City of Sparks shall maintain a City of Sparks business license. If, at any time, the City suspends or revokes the business license, the City shall notify regional animal services and the commercial animal welfare permit shall be suspended or revoked.

(c) If the permittee fails to comply with any conditions imposed on the welfare permit, regional animal services may suspend or revoke the permit. If regional animal services suspends or revokes a welfare permit, the permittee shall be advised in writing of the reason(s) therefor and may appeal that decision to the administrative hearing office no later than 14 days after receiving the written notice. A failure to appeal the suspension or revocation within 14 days precludes further administrative or judicial review.

(d) Upon the filing of an appeal, the administrative hearing office shall hold a hearing on the appeal as soon as practicable.

(e) The administrative hearing officer may hear any testimony and admit any evidence he or she deems necessary. All proceedings shall be conducted in accordance with WCC 55.800(6) through 55.800(17), inclusive.

(f) The hearing officer's decision sustaining, reversing, or sustaining with conditions the suspension or revocation shall be transmitted in writing to the appellant within 14 working days.

(g) Any permittee aggrieved by the hearing officer's decision may appeal that decision by filing a petition for judicial review in the district court within 30 days of the hearing officer's decision. The commercial animal welfare permit shall remain in place until a decision is rendered by the district

court.

SECTION 2. Section 55.010 of the Washoe County Code is hereby amended by adding thereto the following new definitions:

"Ambient Temperature" means the temperature of the environment immediately surrounding the animal.

"Commercial animal establishment" means any pet store, kennel or boarding facility used for the business of buying, selling or boarding animals.

"Isolation area" means a location where potentially infected animals can be separated from other animals for the period of time to control disease transmission, under such conditions as to prevent direct or indirect conveyance of the infectious agent from spreading to other animals.

"Isolation room" means a separate room in which conditions are established to control and contain the transmission of disease, such as, but not limited to, contamination from feces and bodily secretions, mites, and arthropod vectors, and which has a separate air supply with ventilation to the outside with no admixture in the general circulation.

SECTION 3. Washoe County Code 55.010 is hereby amended by changing the definitions of "Animal" and "County" as follows:

~~County~~ County means all **the area of Washoe County ~~including the areas comprising the incorporated City of Sparks and incorporated City of Reno as defined by NRS 243.0430, and as it may be amended from time to time.~~**

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the _____ day of _____, 2015.

Proposed by Commissioner _____.

Passed on the _____ day of _____, 2015.

Vote:

Ayes:

Nays:

Absent:

Chairman
Washoe County Commission

ATTEST:

County Clerk

This ordinance shall be in force and effect from and after
_____, 2015.

SUMMARY: An ordinance amending Washoe County Code Chapter 55 by creating provisions regulating commercial animal establishments (through an animal welfare permit) and revising definitions.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY CREATING PROVISIONS REGULATING COMMERCIAL ANIMAL ESTABLISHMENTS (THROUGH AN ANIMAL WELFARE PERMIT); BY ADDING RELATED DEFINITIONS; AND BY MAKING CHANGES TO THE DEFINITION OF "COUNTY".

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1. Commercial animal establishments must obtain a welfare permit from regional animal services.

(a) No commercial animal welfare permit may be transferred or assigned between persons, between commercial animal establishments, or between a person and a commercial animal establishment.

(b) A commercial animal establishment must maintain a welfare permit for each individual location.

(c) Upon a commercial animal establishment's change of ownership or location, a new inspection and welfare permit is required.

(d) Each commercial animal establishment shall be subject to unscheduled inspection by an animal control officer during normal business hours.

(e) The commercial animal welfare permit must be displayed in a conspicuous place within the commercial animal establishment.

(f) No commercial animal establishment may sell a dog or cat over the age of 3 months without a valid rabies vaccination.

(g) Veterinarians and/or veterinary hospitals are exempt from this provision.

2. All commercial animal establishments shall submit an application for a commercial animal welfare permit with regional animal services.

3. Regional animal services must review the application and certify that the commercial animal establishment has been

inspected and is in compliance with all animal welfare permit requirements. Regional animal services shall notify the appropriate jurisdiction(s) of Washoe County, the City of Reno and/or the City of Sparks of the welfare permit status.

4. During annual inspections, an animal control officer must verify that the commercial animal establishment holds a valid business license. A certificate of occupancy for the appropriate jurisdiction or an approved business license may be accepted as evidence that the commercial animal establishment is in compliance with the local jurisdiction's licensing requirements.

(a) Regional animal services shall create an internal animal welfare permit application process with rules and records retention requirements, including, but not limited to, proof of insurance, health records, and any other conditions necessary to preserve the health and safety of the animals and the public.

(b) Records shall be maintained at the commercial animal establishment for a minimum of two years after the date of sale, transfer or other disposition of the dog or cat identified by the record, and shall be readily available for inspection by any animal control officer.

(c) Except as otherwise provided, a commercial animal establishment shall be inspected and the welfare permit renewed annually by regional animal services.

5. In addition to the requirements set forth in NRS 574.360 through 574.510, inclusive, which outline the duties of operators, an operator of a commercial animal establishment shall:

(a) Ensure that the walls and floors of enclosures are constructed of nonabsorbent, nonporous material impervious to moisture, and are adequate to support the animal without sagging and to prevent injury.

(b) Ensure that all dogs and cats are kept in an isolation room or isolation area for a minimum of 120 hours before being released to a purchaser. The permittee or their representative shall observe each animal daily in order to identify general symptoms of injury, illness or disease.

(c) Ensure that any dog or cat that exhibits symptoms of injury, illness or disease is kept in an isolation room or isolation area and treated by a veterinarian. The veterinarian shall verify that the dog or cat is healthy before such dog or cat can be offered for sale.

(d) Establish and maintain a written Program of Veterinary Care (PVC). The attending veterinarian must visit the facility on a regular basis, i.e., often enough to provide adequate oversight of the facility's care and use of animals. The PVC must include method(s) of euthanasia, which should be consistent with the current American Veterinary Medical Association (AVMA)

Guidelines on Euthanasia.

(e) Provide a hand sanitizer and require members of the public to sanitize their hands prior to and after handling any animals in order to reduce the risks of transmission of disease.

(f) Dispose of animal carcasses in accordance with NRS 571.200 and NAC 571.200.

6. Revocation of commercial animal welfare permit. If a permittee violates this section or any other law of the State of Nevada or ordinance of Washoe County pertaining to animal welfare, regional animal services may revoke the commercial animal welfare permit.

(a) Any commercial animal establishment residing within the boundaries of the City of Reno shall maintain a City of Reno business license. If, at any time, the City suspends or revokes the business license, the City shall notify regional animal services and the commercial animal welfare permit shall be suspended or revoked.

(b) Any commercial animal establishment residing within the boundaries of the City of Sparks shall maintain a City of Sparks business license. If, at any time, the City suspends or revokes the business license, the City shall notify regional animal services and the commercial animal welfare permit shall be suspended or revoked.

(c) If the permittee fails to comply with any conditions imposed on the welfare permit, regional animal services may suspend or revoke the permit. If regional animal services suspends or revokes a welfare permit, the permittee shall be advised in writing of the reason(s) therefor and may appeal that decision to the administrative hearing office no later than 14 days after receiving the written notice. A failure to appeal the suspension or revocation within 14 days precludes further administrative or judicial review.

(d) Upon the filing of an appeal, the administrative hearing office shall hold a hearing on the appeal as soon as practicable.

(e) The administrative hearing officer may hear any testimony and admit any evidence he or she deems necessary. All proceedings shall be conducted in accordance with WCC 55.800(6) through 55.800(17), inclusive.

(f) The hearing officer's decision sustaining, reversing, or sustaining with conditions the suspension or revocation shall be transmitted in writing to the appellant within 14 working days.

(g) Any permittee aggrieved by the hearing officer's decision may appeal that decision by filing a petition for judicial review in the district court within 30 days of the hearing officer's decision. The commercial animal welfare permit shall remain in place until a decision is rendered by the district

court.

SECTION 2. Section 55.010 of the Washoe County Code is hereby amended by adding thereto the following new definitions:

"Ambient Temperature" means the temperature of the environment immediately surrounding the animal.

"Commercial animal establishment" means any pet store, kennel or boarding facility used for the business of buying, selling or boarding animals.

"Isolation area" means a location where potentially infected animals can be separated from other animals for the period of time to control disease transmission, under such conditions as to prevent direct or indirect conveyance of the infectious agent from spreading to other animals.

"Isolation room" means a separate room in which conditions are established to control and contain the transmission of disease, such as, but not limited to, contamination from feces and bodily secretions, mites, and arthropod vectors, and which has a separate air supply with ventilation to the outside with no admixture in the general circulation.

SECTION 3. Washoe County Code 55.010 is hereby amended by changing the definitions of "Animal" and "County" as follows:

County means all the area of Washoe County as defined by NRS 243.0430, and as it may be amended from time to time.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the _____ day of _____, 2015.

Proposed by Commissioner _____.

Passed on the _____ day of _____, 2015.

Vote:

Ayes:

Nays:

Absent:

Chairman
Washoe County Commission

ATTEST:

County Clerk

This ordinance shall be in force and effect from and after
_____, 2015.

Washoe County Regional Animal Services Notice for Proposed Code and Fee Changes & BUSINESS IMPACT STATEMENT



Washoe County is considering amendments to Chapter 55 and to the Animal Services Fee Schedule.

The proposed amendments to the Washoe County Ordinance (WCC Chapter 55) are in response to new State Laws enacted by the 2011 and 2013 Nevada Legislature and signed into law by the Governor. In addition, requested changes from the City of Reno, the public and the creation of Regional Animal Services as a Department within Washoe County. The proposed amendments, which affect your business, include:

- Adding definitions;
- Modifying definitions; and,
- Creating a permit structure with appropriate permit requirements.

The proposed amendment to the WCC 55 is to establish a permit and permit fee to regulate the care and keeping of animals in commercial establishments located within Washoe County and the Cities of Reno and Sparks. The proposed permit fee is \$100.00 per year.

State Law requires that Washoe County prepare a Business Impact Statement to address any potential fiscal impacts of the proposed new permit fees for businesses within the jurisdiction.

Copies of the proposed WCC Chapter 55 amendments pertaining to your business and permit fee are attached and additional copies may be obtained at:

Regional Animal Services
2825 Longley Lane, suite A
Reno, NV 89502

As a business owner or manager, you are encouraged to review the proposed amendments and provide written data or arguments pertinent to the proposed amendments before July 30, 2014.

You are invited to attend the public meeting outlining the ordinance review process on **July 15, 2014 at 5:30 pm**.

The public meeting will be held at:

Washoe County Commission Chambers

Washoe County Administrative Complex, Building A,
1001 East Ninth Street, Reno

If you have any questions, please contact Animal Services at 775-353-8900 or at pets@washoecounty.us.

Proposed code addition

§5.455 Commercial Animal Permit

1. Commercial animal establishments must be inspected by and be permitted by the Animal Services Manager or his designee.
 - a) No commercial permit may be transferred or assigned between persons, between commercial animal establishments, or between a person and a commercial animal establishment.
 - b) Each separate and distinct commercial animal establishment owned by the same person or entity, must possess an individual location permit.
 - c) Upon a change of location or ownership of a commercial animal establishment, a new inspection and permit is required prior to any operational changes.
 - d) Each commercial animal establishment is subject to inspection by an Animal Control Officer anytime during normal business hours.
 - e) The commercial animal establishment permit must be displayed in a conspicuous place.
 - f) No commercial animal establishment may sell a cat or dog over the age of 3 months old to any person without a valid rabies vaccination.
 - g) Veterinarian or veterinary hospitals are exempt from this provision.
2. All commercial animal establishments, except Veterinarians and Veterinary Hospitals, are required to submit an application for commercial animal establishment to Regional Animal Services.
3. Upon initial application, Regional Animal Services must review and certify that the commercial animal establishment has been inspected and is in compliance with all zoning requirements and ordinances of Washoe County, the City of Reno or the City of Sparks. A certificate of occupancy for the appropriate jurisdiction or approved business license may be accepted as evidence that the commercial animal establishment is in compliance with the local jurisdiction.
 - a) Regional Animal Services is hereby authorized to create an internal permit application process with rules, records requirements and retention including, but not limited to, proof of insurance, health records, and any other conditions deemed necessary to preserve the health and safety of the animals and the public.
 - b) The records required by 3(a) shall be maintained at the commercial animal establishment for a minimum of two years after the date of sale, transfer or other disposition of the dog or cat addressed by the record, and shall be readily available for inspection by any animal control officer.
4. Except as otherwise established, a permit is renewable annually upon inspection.
5. Commercial permits granted to circus, performing animal exhibitions, or animal exhibits are valid for the duration of the event not to exceed thirty (30) days from the date of issuance.
6. Circuses, performing animal exhibitions, or animal exhibits may request limited permission to possess prohibited animals within the jurisdiction of Regional Animal Services for the duration of the commercial permit.

Comment [a1]: For discussion Suggested language provided by Beverley McGrath Legislative Liaison for NV Animal Groups Prohibiting the sale of Commercially bred dogs, cats and rabbits in pet stores.
Comment [a2]: This is a new section to address the issues with pet stores and exotic animal shows. Wording is a collaboration between the County, Reno and Sparks.

- a) Possession of a prohibited animal under this section is exempt from the provisions of 55.650. Regional Animal Services is hereby authorized to create internal permit application rules including, but not limited to, proof of insurance, health records, USDA exhibitors permit and any other conditions deemed necessary to preserve the health and safety of the public. Each prohibited animal possessed is required to be separately permitted."

7. In accordance with the provisions of NRS 574 duties of Operators, the Board hereby adopts NRS 574.360 thru 574.510 inclusive. In addition to the requirements in subsection 7 an Operator shall ensure:

- a) the walls and floors of enclosures shall be constructed of nonabsorbent, nonporous materials impervious to moisture. If wire or grid flooring is used it must be made of powder coated or plastic coated wire and be of adequate gauge to support the animal(s) without sagging and to prevent the animals' feet from passing through the openings.
- b) All dogs and cats received for resale shall be kept in an isolation room for a minimum of 120 hours before being released to a purchaser. Each animal shall be observed daily by the licensee or his representative in order to recognize general symptoms of injury, illness or disease.
- c) Any dog or cat that exhibits symptoms of injury, illness or disease shall be kept in an isolation area or isolation room and treated as prescribed by a veterinarian. Any such dog or cat shall be verified by a veterinarian to be healthy before such dog or cat can be offered for sale.
- d) Facilities which do not have a full-time attending veterinarian must have a written Program of Veterinary Care (PVC). The attending veterinarian must visit the facility on a regular basis, i.e., often enough to provide adequate oversight of the facility's care and use of animals. The PVC must include the method(s) of euthanasia for the animals, which should be consistent with the current AVMA Guidelines on Euthanasia (<https://www.avma.org/KB/Policies/Documents/euthanasia.pdf>).
- e) To reduce the risks of the transmission of diseases, all commercial animal establishment that allow for the handling of animals by the public must provide a hand sanitizer for the public and require hand sanitizing prior to and after handling the animals.
- f) Disposal of animal carcasses shall be followed in accordance with NRS 571.200 and NAC 571.200.

8. A commercial animal establishment is prohibited from the selling dogs or cats obtained from a source other than an acceptable procurement source. Acceptable Procurement Sources are:

- a) Humane groups organized as legal entities in accordance with NRS 574.010 thru 574.040 inclusive.
- b) USDA licensed dealers.

9. Revocation of Permit for commercial animal establishment. Any single violation of this section or violation of any other law of the State of Nevada or violation of any other Washoe County ordinance shall constitute a violation of the commercial animal permit and permit shall be subject to revocation by the Regional Animal Services.

- a). Any commercial animal establishment residing within the boundaries of the City of Reno shall maintain a City of Reno business license. If at any time the City suspends or revokes the business license, the City shall notify Regional Animal Services and the Commercial animal permit shall be suspended or revoked as applicable.

b). Any commercial animal establishment residing within the boundaries of the City of Sparks shall maintain a City of Sparks business license. If at any time the City suspends or revokes the business license, the City shall notify Regional Animal Services and the commercial animal permit shall be suspended or revoked as applicable.

c) Operators who have been denied a permit or whose permit has been revoked may, by default or otherwise, may, in accordance with 55.800, seek judicial review, thereof by filing a petition for judicial review in the district court within 10 days of the denial or revocation and said petition must be personally served upon respondent within 30 days of filing.

Commercial Animal Establishment means any pet store, circus, performing animal exhibitions, animal exhibits, zoological park and kennels or boarding facilities, used for the business of buying, selling, housing or boarding or exhibiting of animals.

Comment [SRAB]: For new code section 55.455

Isolation means the separation, for the period of communicability, of infected animals from others in such place and under such conditions as to prevent the direct or indirect conveyance of the infectious agent from those infected to those which are susceptible or which may spread the agent to others.

Comment [44]: New reference 55.455

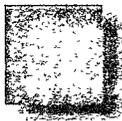
Isolation room means a separate room located where conditions can be established to adequately control or contain modes of transmission of disease such as (but not limited to) contamination with feces and bodily secretions, mites, and arthropod vector and . having a separate air environment exhausting outside with no admixture in the general circulation

Comment [45]: New reference 55.455



Washoe County Animal Code Public Input Report

Topic: Commerical Animal Establishment (Retail Sales)
Washoe County Code 55.455 (New Code)





PUBLIC INPUT REPORT

Washoe County Code 55.455



Topic: - Commercial Animal Establishment (Retail Sales)

Washoe County Code 55.455 (New Code)

The Public Input Report lists constituent feedback under the heading “Major Topics”. The input is placed into categories and referenced to code for ease of use. For each statement, the amount of support received for this item (high, medium, low), the legal and operational implications are noted in separate columns. The amount of support received was determined by the number of people submitting similar topics/items. The legal and operation implications include any changes necessary to meet the request. Proposed changes resulting from the feedback that were incorporated into the proposed County Code are indicated in the column “Proposed Code Changes”. Public comment often brings up healthy discussions. Statements that don’t necessarily necessitate code changes are marked with “NA” under proposed code changes. Those comments have been captured to allow for future consideration by policy makers and staff.

- Number of Citizens at Public Workshop: 40
- Number of Responses from Open Washoe: 31
- Number of comment cards: 8

Major Topics	Citizen Support	Legal Implications	Operational Implications	Proposed Code Changes
INSTRUCTIONS & PERMITS				
Need for increasing inspections by Animal Services.	High	New code, do not know	Increased Staff	55.455 (1) (d)
Need for regulation of illness and wellness	Med	New code, do not know	Increased Staff	55.455 (7)
ANIMAL EXHIBITIONS				
Animal exhibits need to be removed because if not, it would kill the educational programs	Low	NA	NA	55.455 (5)
Draft language that allows animal trade shows and conventions	Low	NRS Restrictions	Increased Staff	NA
ESTABLISHMENT CONDITIONS				
Requirement for paving enclosures—this is an issue for animals within enclosures.	Low	NRS Required	NA	55.455 (7)
Caging requirements could make animals sick.	Low	NRS Required	NA	55.455 (7)
Add resting platform on kennels—not just wire/grid bottoms	Low	NRS Required	NA	55.455 (7)
ANIMAL SOURCES				
Support with regulation of where animals are being sourced from.	High	NA	NA	Do not have authority to regulate this - Statutory limitations
Enacting a ban in attempt to end puppy mills will only create more puppy mill situations. The answer is finding a balanced promise.	Low	NA	NA	Do not have authority to regulate this - Statutory limitations
Do not approve of USDA Dealers	High	NA	NA	NA



PUBLIC INPUT REPORT

Washoe County Code 55.455



Retain USDA Licensed Dealers	Low	NA	NA	55.455 (8) (b)
Retail and rescues to be held to the same laws.	Low	NA	NA	Resources held to NRS Statutes
REVOCATION OF PERMITS				
Clarification on the revocation of permits for commercial animal establishments.	Med	NA	Increased Staff	55.455 (9)
IMPACT ON CURRENT BUSINESS				
Banning sales would affect the local economy and hurt responsible licensed businesses.	Med	NA	NA	NA
Discriminating against pet stores	Med	NA	NA	NA
COMPLETE BAN ON ALL SALES				
Stronger/more specific language is needed to ban the sale of animals from pet stores.	Med	NA	NA	NA
Some do not support any sales of any animals in retail stores.	Med	NA	NA	NA
ADDITIONAL ANIMALS				
Recommendation that rabbits be added to the list.	Low	NA	NA	NA
Recommendation that all mammals be added to the list.	Low	NA	NA	NA
OTHER				
Support if the code is enforced.	Med	NA	NA	NA
Some do not support the anonymous complaints.	Med	NA	NA	NA
There needs to be consequences for filing false reports.	Low	NA	NA	NA

Commercial Animal Establishment (Retail Sales) Public Workshop

Notes:

Themes:

- There is public support on increasing inspections by Animal Services.
- Support with regulation of where animals are being sourced from.
- Support if the code is enforced.
- Some do not support any sales of any animals in retail stores.
- Some do not support the anonymous complaints.
- Recommendations that rabbits be added to the list.

Support:

- Requiring for USDA licenses for puppy stores and breeders
- Inspections by WCRAS- more inspections
- Having permitting requirements in place
- Need to regulate illness and wellness
- Inspections—if in violations deal with it
- Regulate where the animals come from
- No anonymous complaints
- Consequences/fine for multiple false reports
- Violations being clarified and defined: animal welfare versus administrative
- Enabling language that allows animal trade shows and conventions
- Process- what is mandated and what is not?
- Ability to procure animals through humane organizations
- Cannot give animals away as a prize
- Support 55.455 A- humane groups to organize
- Supports if code is enforced

Don't Support:

- Don't support retail sales of any mammals.
- Take out "not to exceed 30 day in advance" for events
- Requirement for paving enclosures—issues for animals within
- Any feedback from non-Washoe residents
- Caging requirements (including powder coating-can make animals sick)
- Doesn't clarify how out of state/exhibitions apply—Need to define "exhibit"
- Need to eliminate all together—no permits for commercial breeding
- What is the cost of fees?—needs to be reasonable
- Anonymous complaints
- No consequences for multiple calls
- Violations- need clarification
- Want it expanded to cover sales of animals on Craigslist

- Want a complete ban on retail stores
- Shelters should not be exempt
- Should establish a rating system for retail
- Non anonymous complaints
- Should require retailers to work with humane society.
- Don't want pet stores to sell animals—support no kill community
- Don't support sales of cats, dogs or rabbits at pet stores
- USDA licensed dealers
- Don't support regulation of pet stores.

Support If...Recommendations:

- Add resting platform on kennels- not just wire/grid bottoms
- Regulate source of animals
- Define “puppy mill”
- Stores shouldn't be mandated to sell shelter animals
- “Throw law out” (anti-circus and anti-zoo)
- Commercial breeders should be able to re-sell hobby breeders dogs
- Can the city be more restrictive and have no stores at all?
- Limit number of animals in stores to feasible amount
- Wants to tailor laws to minimum necessary
- Review/implement Nevada Department of Ag. Requirements
- Options for temporary ceases/desist orders
- Remove animals exhibits from commercials animal establishments definition
- Should be able to buy from any licensed seller
- These regulations should also be for rescue groups
- Add definition for exhibit and exempt them from bill (circus versus competition)
- Needs to require additional vaccination and micro-chipping
- Add rabbits
- There was some type of grading system
- Higher breeding standards
- Requirement to work with shelter
- Definition of animal to be more clear
- 55.455 (8)- add rabbits back
- Deleted subsection B
- Ban of retail sales
- Dogs and cats retail sales if allowed to be taken out, bathroom every 2 hours for 30 minutes
- If imported, examined and micro-chipped

Support	Don't Support	Support If...
19	21	24

Commercial Animal Establishment (Retail Sales) Comment Cards:

- I want the county to support economic development and diversity by allowing responsible breeding and sales of animals, including at trade shows and conventions. If we don't allow this, Washoe County dollars will flow out of the state and we will be creating an anti-business environment. (Melanie Peck, melaniepeck9@gmail.com, 775-393-9773).
- Don't support retail sales of any mammals unless procured from a humane organization (Jennifer)
- Remove USDA dealers from retail sales code. Add rabbits as animals also banned from being sold in retail stores.
- To be licensed you should have to attend mandated classes to ensure quality, knowledge and should help with the animals being cared for, breed and sold in order to be licensed. Need exemption for recognized groups like 4h and FFA and those families working with the agency r nonprofits that are recognized.
- Do not water down language. Do not want more strict regulations. The regulations allow for loopholes, ie- NRS 5574.390 requires solid floor, not stacked on top, access to water and food, comfortable and normal position. None of these are realistically happening at Pets R Us in Reno, NV. Add rabbits to dogs and cats. (Mariva Dimitriadis)
- Deleted 55.455 section 8.b (Kyle Moore)
- Add rabbits back into 55.455 (8), so that a commercial animal establishment is prohibited from selling rabbits. Also, please delete the proposed language in 55.455 (8b) dealing with USDA licensed dealers. The USDA uses the animal welfare act to regulate breeders but it is not stringent enough and only provides minimum protection for animals. Many puppy mills that are shut down are licensed. The proposed language is an end-run around the propped regs on breeding. (Danille Mayabb)
- Include rabbits in 55.455 (8). Rabbits are the third most euthanized animals in America, county, unable to care for the number of homeless rabbits currently in the county. Rabbits from "puppy mills" are prone to ecunciculis, pasteurella and bordatella. Delete 55.455 (b). These recommendations supported by House Rabbit Society, Chapter Nevada. (Amy Crowe)



ANIMAL CODE UPDATE

Commercial Animal Establishment (Retail Sales)



WCC 55.455 Commercial Animal Establishment (Retail Sales) New Code

Current Code:

- Currently there are no regulations within WCC 55 that address commercial animal sales or exhibits.

Proposed Code (55.455):

- The proposed language is co-written by Washoe County and the City of Reno. The language will address the health, safety and welfare of all animals sold in stores as well as address traveling exhibits/circus.
- Inspections will be required to obtain a welfare permit prior to obtaining a business license.
- Permits can be revoked if the establishment is found in violation.

Operational and Legal Implications:

- Increase workload on Animal Services.
- Improve health, safety and welfare inspection capabilities and enforcement.

Summary of Public Input:

- Public comments on this subject are split in support and not in support of the new code:
 - Banning sales would affect the local economy and hurt responsible licensed businesses.
 - Discriminating against pet stores.
 - Clarification on the revocation of permits for commercial animal establishments.
 - Support of regulation of animal sources for pet stores, specifically sourced from puppy mills.
 - Retail and rescues to be held to the same laws.